

AMENDED IN ASSEMBLY APRIL 7, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 974**

**Introduced by Assembly Member Nation**

February 20, 2003

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An act to ~~amend~~ *repeal and add* Section 30244 of the Public Resources Code, relating to the coastal zone.

LEGISLATIVE COUNSEL'S DIGEST

AB 974, as amended, Nation. Coastal zone: ~~Native Americans sites~~ *archaeological or paleontological resources*.

The California Coastal Act provides for the planning and regulation of development within the coastal zone, as defined, which shall be based on various coastal resources planning and management policies set forth in the act. Existing law requires that mitigation measures be taken where development would adversely impact archaeological or paleontological resources, as identified by the State Historic Preservation Officer.

This bill would ~~also require mitigation measures to be taken where development would adversely impact Native American culturally significant sites, as identified by the State Historic Preservation Officer~~ *repeal that provision and instead require that areas containing significant archaeological, paleontological, or cultural resources or sacred sites be protected against substantial disruption. The bill would require that a proposed local coastal plan to the California Coastal Commission, or an amendment to a local coastal plan that is not a minor amendment, contain policies and ordinances to implement the above requirement.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Section 30244 of the Public Resources Code is~~  
2     ~~SECTION 1. Section 30244 of the Public Resources Code is~~  
3     ~~repealed.~~  
4     ~~30244. Where development would adversely impact~~  
5     ~~archaeological or paleontological resources as identified by the~~  
6     ~~State Historic Preservation Officer, reasonable mitigation~~  
7     ~~measures shall be required.~~  
8     ~~SEC. 2. Section 30244 is added to the Public Resources Code,~~  
9     ~~to read:~~  
10    ~~30244. (a) Areas containing significant archaeological,~~  
11    ~~paleontological, or cultural resources or sacred sites shall be~~  
12    ~~protected against substantial disruption.~~  
13    ~~(b) When a local jurisdiction submits a proposed local coastal~~  
14    ~~plan to the commission, or an amendment to a local coastal plan~~  
15    ~~that is not a minor amendment, the proposed plan or amendment~~  
16    ~~shall contain policies and ordinances to implement subdivision~~  
17    ~~(a).~~  
18    ~~amended to read:~~  
19    ~~30244. Where development would adversely impact~~  
20    ~~archaeological or paleontological resources, or Native American~~  
21    ~~culturally significant sites, as identified by the State Historic~~  
22    ~~Preservation Officer, reasonable mitigation measures shall be~~  
23    ~~required.~~

